



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
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<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

December 15, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
AWARD OF A CONSTRUCTION CONTRACT  
DEL AIRE STREETSCAPE IMPROVEMENTS, CAPITAL PROJECT NO. 87005  
UNINCORPORATED COMMUNITY OF DEL AIRE  
(SECOND DISTRICT) (3 VOTES)**

**SUBJECT**

Award a construction contract to the Lowest Responsive and Responsible Bidder for Del Aire Streetscape Improvements, Capital Project No. 87005, and authorize the Director of Public Works or her designee to execute a contract for work in the unincorporated community of Del Aire.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Award and authorize the Director of Public Works or her designee to execute the construction contract, in the form previously approved by County Counsel, and to establish the effective date following receipt of approved Faithful Performance and Labor and Material bonds and insurance filed by the contractor for Project ID No. RDC0015120 - Del Aire Streetscape Improvements, Capital Project No. 87005, to construct landscaping, an irrigation system installation, and stamped and colored concrete, in the unincorporated community of Del Aire, to Land Forms Landscape Construction, in the amount of \$297,510.40.
2. Approve the revised total project budget of \$690,000 for the Del Aire Streetscape Improvements project (Capital Project No. 87005).

*"To Enrich Lives Through Effective And Caring Service"*

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Third District

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### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Your Board's approval of the recommended actions will award a construction contract to Land Forms Landscape Construction, the Lowest Responsive and Responsible Bidder (see Facts and Provisions/Legal Requirements and Contracting sections for public contracting details and definitions) for the Del Aire Streetscape Improvements project; and authorize the Director of Public Works or her designee to execute the contract and establish the effective contract date following receipt of approved bonds and insurance filed by the contractor for this project.

This streetscape beautification project consists of the installation of an irrigation system and landscaping within eight existing raised medians on: North Aviation Boulevard from West 122nd Street to West 124th Street; El Segundo Boulevard from Isis Avenue to South La Cienega Boulevard; and South La Cienega Boulevard from West 123rd Street to El Segundo Boulevard, in the unincorporated community of Del Aire. The estimated area of the improvement is 49,000 square feet and over 2,900 plants and 42 trees will be planted.

The attachment includes a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also attached.

Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

### **Green Building/Sustainable Design**

The project will support your Board's Green Building/Sustainable Design policy by using native species and moderate to drought tolerant landscaping to minimize the amount of irrigation/water consumption, required maintenance services and resources.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding this contract will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected community.

### **FISCAL IMPACT/FINANCING**

The recommended contract amount of \$297,510.40 is below the engineer's estimate and within projects' Board-approved construction budget. Attachment B includes the amount of the recommended contract as compared with the engineer's estimate; the other bids received; and more detailed fiscal and financial information.

The total project cost estimate of \$690,000, includes \$328,000 for a construction contract and change orders, \$192,000 for Plans and Specifications, and \$170,000 for County Services, which includes contract administration, project management, and quality control inspection.

This project is funded by Second District net County cost appropriated for Enhanced Services to Unincorporated Areas (Proposition 62). Sufficient appropriation is available in the Fiscal Year 2009-10 Capital Project Budget under Capital Project No. 87005. The Project Schedule and Budget Summary are included in Attachment A.

#### **Operating Budget Impact**

The Second District has approved an allocation in this Capital Project's appropriation to fund the ongoing maintenance costs for approximately ten years. Upon completion and Board acceptance of this project, \$328,000 from the available surplus will be transferred to the Public Works General Fund to fund the maintenance cost. This surplus amount is comprised of \$218,000 identified and approved for funding maintenance of the improvements in a September 15, 2009 Board letter and \$110,000 of the \$397,000 decrease identified herein. The remaining \$287,000 in surplus funds will be transferred to the Various Capital 2<sup>nd</sup> District Improvements Capital Project No. 77044 in a Fiscal Year 2009-10 Mid-Year Budget Adjustment.

This ongoing maintenance cost is anticipated to be incurred beginning in Fiscal Year 2010-11. Once the approved funds have been exhausted, sufficient appropriation will be included in the Second District's Road Construction Program to fund ongoing maintenance.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On September 15, 2009, your Board found that this project is exempt from the Civic Art fee.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract was solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements.

The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

This contract contains terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: County of Los Angeles' (County) Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

On September 15, 2009, your Board found and certified that this project is categorically exempt from the provisions of the California Environmental Quality Act.

### **CONTRACTING PROCESS**

The contract was solicited on an open competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on Public Works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractor.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This construction contract will result in improved Public Works infrastructure in the community where the work is scheduled.

### **CONCLUSION**

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects and Public Works, Construction Division.

Respectfully submitted,

  
WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:GF:SK  
DJT:CV:zu

Attachments

c: Executive Officer, Board of Supervisors  
Acting County Counsel  
Department of Public Works  
Office of Affirmative Action Compliance

## **ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
DEL AIRE STREETScape IMPROVEMENTS, CAPITAL PROJECT NO. 87005  
UNINCORPORATED COMMUNITY OF DEL AIRE  
(SECOND DISTRICT) (3 VOTES)**

### **I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Project Needs Assessment	N/A
Project Feasibility	N/A
Project Program Validation	N/A
Design	03/04/09*
Contract Award	12/15/09
Construction	
Field Acceptance	04/16/10
Final Acceptance	06/15/10

\*Actual completion date.

**Attachment A**

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**II. PROJECT BUDGET SUMMARY**

<b>Budget Category</b>	<b>Project Budget</b>	<b>Impact of This Action</b>	<b>Revised Project Budget</b>
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Low Bid Construction Contract	\$ 670,000	\$ (372,000)	298,000
Job Order Contract	0	0	0
Change Orders	67,000	(37,000)	30,000
Departmental Crafts	0	0	0
Youth Employment	0	0	0
Construction Consultants	0	0	0
Misc. Expense	0	0	0
Telecomm Equip – Affixed to Building	0	0	0
Civic Arts	0	0	0
Subtotal	737,000	(409,000)	328,000
Programming/Development	\$ 0	\$ 0	\$ 0
Plans and Specifications	\$ 180,000	\$ 12,000	\$ 192,000
Consultant Services			
Site Planning	\$ 0	\$ 0	\$ 0
Hazardous Materials	0	0	0
Geotech/Soils Report and Soils Testing	0	0	0
Material Testing	0	0	0
Cost Estimating	0	0	0
Topographic Surveys	0	0	0
Construction Management	0	0	0
Construction Administration	0	0	0
Environmental	0	0	0
Move Management	0	0	0
Equipment Planning	0	0	0
Legal	0	0	0
Construction/Change Order	0	0	0
Other:	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
Miscellaneous Expenditures	\$ 0	\$ 0	\$ 0
Jurisdictional Review/Plan Check/Permit	\$ 0	\$ 0	\$ 0

**Attachment A****Page 3****II. PROJECT BUDGET SUMMARY (continued)**

<b>Budget Category</b>	<b>Project Budget</b>	<b>Impact of This Action</b>	<b>Revised Project Budget</b>
County Services			
Code Compliance Inspection	\$ 0	\$ 0	\$ 0
Quality Control Inspection	80,000	0	80,000
Design Review	15,000	0	15,000
Design Services	10,000	0	10,000
Contract Administration	25,000	0	25,000
Project Management	20,000	0	20,000
Project Management Support Services	0	0	0
ISD Job Order Contract Management	0	0	0
DPW Job Order Contract Management	0	0	0
ISD ITS Communications	0	0	0
Project Security	0	0	0
Project Technical Support	0	0	0
Office of Affirmative Action	0	0	0
County Counsel	0	0	0
Other:	20,000	0	20,000
Sheriff Job Order Contract Management	\$ 0	\$ 0	\$ 0
Subtotal	\$ 170,000	\$ 0	\$ 170,000
<b>TOTAL</b>	<b>1,087,000</b>	<b>\$ (397,000)</b>	<b>\$ 690,000</b>



AWARD OF CONTRACT  
December 15, 2009

PROJECT ID NO. RDC0015120 - DEL AIRE STREETSCAPE IMPROVEMENTS,  
CAPITAL PROJECT NO. 87005, (in the unincorporated community of Del Aire),  
Supervisory District 2

TYPE OF WORK: Construction of landscaping, an irrigation system, stamped and colored concrete, and the performance of other appurtenant work.

CALL FOR BIDS DATE: September 15, 2009 (Agenda Item 37)

BID OPENING DATE: October 13, 2009

BID SUMMARY:

Low	Jeff Tracy, Inc., a corporation dba Land Forms Landscape Construction 27601 Forbes Road, Suite 36 Laguna Niguel, CA 92677 (949) 582-0877	\$297,510.40
2)	Pima Corporation	\$348,113.00
3)	Rock Bottom, Inc.	\$363,188.00
4)	Sully-Miller Contracting Company	\$433,763.50
5)	*+FS Construction	\$444,258.00
6)	Elite Landscaping, Inc.	\$452,440.00
7)	* Belaire West Landscape, Inc.	\$454,405.00
8)	America West Landscape, Inc.	\$476,278.26
9)	YAKAR	\$548,065.00
10)	Y & M Construction, Inc.	\$556,930.00
11)	C.S. Legacy Construction, Inc.	\$587,819.00

\*MWBE  
+LSBE

Tropical Creations, Inc., submitted a bid of \$477,037.00; however, they did not use the amended Schedule of Prices that was sent with Addendum No. 1. Therefore, their bid is considered non-responsive and rejected as provided in the Instructions to Bidders.

FINANCIAL INFORMATION:

Amount of estimate	\$670,985.00
Amount of recommended contract	\$297,510.40
Amount of recommended contract below estimate	\$373,474.60

The amount of the recommended contract is 56 percent below the estimate.

The Project is funded by Second District net County cost appropriated for Enhanced Services to Unincorporated Areas (Proposition 62). Sufficient appropriation is available in the Fiscal Year 2009-10 Capital Project Budget under the Capital Project No. 87005.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Land Forms Landscape Construction has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On September 15, 2009, Agenda Item 37, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 45 working days, followed by a 90-calendar day plant establishment period. It is estimated that the work will start in January and be completed in July 2010.